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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/921,229	08/01/2001	David H. Donovan	10007766-1	6006

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EXAMINER

NGUYEN, QUYNH H

ART UNIT PAPER NUMBER

2642

DATE MAILED: 11/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/921,229

Applicant(s)

DONOVAN ET AL.

Examiner

Quynh H. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Response to Amendment

2. The Declaration filed on 9/12/05 under 37 CFR 1.131 is overcome the Champion reference.

Claim Rejections - 35 USC § 102

3. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Bolas et al. (U.S. Patent 6,389,463).

As to claim 1, Bolas et al. teaches a remote radio receiver comprising: audio circuitry that receives a digital audio stream and plays extracted audio signals over a speaker (Fig. 4, speaker 45), wherein the digital audio stream is a radio program received by the remote radio receiver from a personal computer (Fig. 1, 41), the personal computer receiving the radio program from an internet connection (col. 7, line 59 through col. 8, line 33); a user selection interface (Fig. 4, selector 9); user control circuitry that generates control signals as a result of a user interacting with the user selection interface (col. 7, lines 59-65); input/output interface (digital connection 106) that provides connection to the personal computer (Fig. 4), wherein the input/output interface forwards the digital audio stream from the personal computer to the audio

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circuitry and forwards the control signals from the user control circuitry to the personal computer (Fig. 4, 41; col. 7, line 42 through col. 8, line 67).

As to claims 2, 5, 10, and 13, Bolas et al. teaches (col. 3, line 66 through col. 4, line 4) that the audio card receives data from the computer processor, translates into audio signals, then transmitted to the amplifier 24 and then to the speakers which then translate the audio signal to the desired audible output reads on claimed "a digital to analog converter for receiving the digital audio stream and converting the digital audio stream to an analog audio stream; and an amplifier for amplifying the analog audio stream".

As to claims 3 and 11, Bolas et al. teaches the user selection interface comprises a volume control (Fig. 4, volume control 7) and a station selection control (Fig. 4, 8).

As to claims 4 and 12, Bolas et al. teaches a display for displaying a selected radio station (col. 7, line 63).

As to claims 6-8 and 14-16, Bolas et al. teaches the user control circuitry comprises a processor and a memory (col. 7, lines 49-55); a display for displaying a selected radio station (col. 7, line 63), and information for the selected radio station is stored in the memory (col. 7, lines 52-55).

As to claim 9, Bolas et al. teaches the steps of: receiving a digital audio stream and plays extracted audio signals over a speaker (col. 7, lines 52-65), wherein the digital audio stream is a radio program received by the remote radio receiver from a personal computer (Fig. 4, 41) from an internet connection (col. 7, line 66 through col. 8, line 23); generating control signals as a result of a user interacting with the user

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selection interface; forwarding the control signals from the user control circuitry to the personal computer (col. 7, line 42 through col. 8, line 23).

Claim 17 is rejected for the same reasons as discussed above with respect to claims 1 and 9.

Claims 18-20 are rejected for the same reasons as discussed above with respect to claims 10-12, respectively.

Response to Arguments

4. The Declaration filed on 9/12/05 under 37 CFR 1.131 is overcome the Champion reference. Therefore, the previous rejection has been withdrawn and new art has been applied.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quynh H. Nguyen whose telephone number is 571-272-7489. The examiner can normally be reached on Monday - Thursday from 6:15 A.M. to 4:45 P.M.

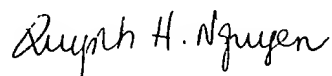
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on 571-272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

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Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Quynh H. Nguyen
Patent Examiner
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